UNITED STATES DISTRICT COURTER FD FOR THE DISTRICT OF MASSACHUSETTINS OFFICE

BOYD FULTON, Plaintiff

v.

o.2004 CV 11234 U.S. DISTRICT COURT MEL DISTRICT OF MASS

TOWN OF HULL, MASSACHUSETTS, Defendant

ASSENTED-TO MOTION FOR LEAVE TO FILE PLAINTIFF'S SECOND AMENDED COMPLAINT

NOW COMES the Plaintiff and hereby requests that this Honorable Court grant him leave to file a Second Amended Complaint, which has today been mailed for filing with the Clerk. As grounds therefor, the Plaintiff says that he brings Second Amended Complaint to correct certain typographical errors and to correct certain of his allegations to conform with the facts now known to him.

Mark D. Stern, BBO #479500

s Attorney,

Mark D. Stern, P.C.

34 Liberty Avenue Somerville, MA 02144

Tel. (617) 776-4020

Fax (617) 776-9250

email:markdsternpc@rcn.com

Dated: January 26, 2005

James B. Lampke, BBO #2842

Town Counsel - Town of Hull

115 North Street

Hingham, MA 02043

Tel. (781) 749-9922

Fax (781) 749 9923

CERTIFICATE OF SERVICE

I hereby certify that on this day, I served a copy of the above document on the defendant by mailing a copy, first class, postage prepaid to:

James B. Lampke

Town Counsel, Town of Hull

115 North Street

Hingham, N

Mark D. Stern